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(See Signature Page for Names and Addresses of
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Attorneys for Plaintiff Georgia Cano individually and
 on behalf of all others similarly situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re: High-Tech Employee Antitrust Litigation

Master Docket No. 11-cv-2509-LHK

This document relates to:
ALL ACTIONS

GEORGIA CANO, individually and on behalf of
 all others similarly situated,

Case No: 14-cv-4203-PSG

Plaintiff,

v.

**NOTICE OF MOTION AND
 ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASES
 SHOULD BE RELATED**

PIXAR; DREAMWORKS ANIMATION SKG,
 INC.; LUCASFILM LTD.; THE WALT
 DISNEY COMPANY; DIGITAL DOMAIN 3.0
 INC.; IMAGEMOVERS LLC;
 IMAGEMOVERS DIGITAL; SONY
 PICTURES ANIMATION INC.; SONY
 PICTURES IMAGEWORKS INC.; BLUE SKY
 STUDIOS, INC; and DOES 1 through 100,

Defendants.

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12(b) and 7-11, Plaintiff Georgia Cano (“Plaintiff”) submits this administrative motion requesting that the Court consider whether *Georgia Cano v. Pixar, et al.*, No. 14-cv-4303 (“*Cano*”); *Nitsch v. DreamWorks Animation SKG, Inc.*, No. 14-cv-4062 (“*Nitsch*”), and *In re High-Tech Employee Litigation*, No. 11-cv-2509 (“*High-Tech*”), are related and direct the Clerk of Court to reassign *Cano* to the Honorable Judge Lucy H. Koh.

Local Rule 3-12(b) provides that “[a]n action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be unduly burdensome duplication of labor and expense or conflicting results if the cases are conduct before different Judges.” Here, both elements are met.

First, these three cases concern overlapping conspiracies that each evolved out of the same unlawful agreement between Pixar and Lucasfilm “(1) not to cold call each other’s employees; (2) to notify each other when making an offer to an employee of the other company even if that employee applied for a job on his or her own initiative; and (3) that any offer would be ‘final’ and would not be improved in response to a counter-offer by the employee’s current employer (whether Lucasfilm or Pixar).” *In re High-Tech Emp. Antitrust Litig.*, 985 F. Supp. 2d 1167, 1188 (N.D. Cal. 2013); *see also* Compl. ¶ 2, *Nitsch*, No. 14-cv-4062 (N.D. Cal. Sept. 8, 2014), ECF No. 1 (“*Nitsch* Compl.”) and Compl. ¶¶ 20-21, *Cano*, No. 14-cv-4203 (N.D. Cal. Sept. 17, 2014), ECF No. 1 (“*Cano* Compl.”). Pixar and Lucasfilm are Defendants in these three cases. Much of the same evidence will be central to all cases and is already part of the record in *High-Tech*, including deposition testimony by Pixar and Lucasfilm personnel, documentary evidence detailing their agreement, and evidence of their internal compensation practices. *Compare In re High-Tech*, 985 F. Supp. 2d at 1188, 1198-1201, 1203-04, 1219; *Nitsch* Compl. ¶¶ 2, 6, 8, 12, 39-42, 77-78, 81-82; *Cano* Compl. ¶¶ 1-2, 20-25, 29, 31, 33-35, 49-50. In short, a substantial portion of all three cases concerns identical parties, facts, evidence, witnesses, and legal theories.

1 *Second*, separate assignment would result in unnecessary duplication of labor and
 2 expense. While Judge Paul Singh Grewal is more than capable of handling this case, Judge Koh
 3 has already done much of the relevant work. As Judge Koh recently noted, “This Court has lived
 4 with this case for nearly three years, and during that time, the Court has reviewed a significant
 5 number of documents in adjudicating not only the substantive motions, but also the voluminous
 6 sealing requests.” *High-Tech*, Doc. # 974 at 30. Absent reassignment to Judge Koh, any other
 7 judge would have to start at square one to become familiar with the significant factual and legal
 8 issues in this action, which would result in unnecessary duplication of labor and expense.

9 The fact that some defendants are only in one case, and some facts or evidence relevant in one
 10 case may not be relevant in the other, does not defeat the substantial similarity between these cases.
 11 *See, e.g., Ervin v. Judicial Council of Cal., et al.*, No. 06-cv-7479, 2007 WL 1489165, at *2 (N.D.
 12 Cal. May 18, 2007). Nor is it material that *High-Tech* is at a different stage than *Cano* and *Nitsch*
 13 because “[t]wo related cases may still proceed on different schedules,” and thus “this action can
 14 proceed on its own timetable.” *Financial Fusion, Inc. v. Ablaise Ltd., et al.*, No. 06-cv-2451, 2006
 15 WL 3734292, at *4 (N.D. Cal. Dec. 18, 2006). There is no risk of delay in these suits due to relation.

16 Accordingly, Plaintiff respectfully requests that the Court direct the Clerk of Court to reassign
 17 *Cano* to the Honorable Judge Lucy H. Koh.

18
 19
 20 Dated: September 25, 2014

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By: /s/ Steven G. Sklaver

Steven G. Sklaver
Attorneys for Plaintiff Georgia Cano individually
and on behalf of all others similarly situated

PROOF OF SERVICE

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1901 Avenue of the Stars, Suite 950, Los Angeles, California 90067-6029.

On September 25, 2014, I served the foregoing document(s) described as follows:

NOTICE OF MOTION AND ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached service list, as follows:

See attached Service List

 X BY MAIL:

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

_____ BY PERSONAL SERVICE:

I caused to be delivered such envelope by hand to the offices of the addressee.

_____ BY FEDERAL EXPRESS OR OVERNIGHT COURIER

_____ BY FAX

I served by facsimile as indicated on the attached service list.

_____ BY ELECTRONIC MAIL

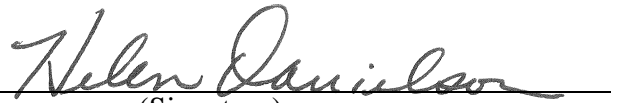
I caused said documents to be prepared in portable document format (PDF) for e-mailing and served by electronic mail as indicated on the attached service list.

Executed on September 25, 2014, at Los Angeles, California

 X (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Helen Danielson

(Type or Print Name)


(Signature)

SERVICE LIST

In re High-Tech Employee Antitrust Litigation, No. 11-cv-2509
All parties in *In re High-Tech*, served via ECF

Defendants in the *Cano v. Pixar, et al.*, Case No. 14-cv-04203 served via U.S. Mail

PIXAR 1200 Park Avenue Emeryville, California 94608	DREAMWORKS ANIMATION SKG, INC. 1000 Flower Street Glendale, CA 91201
LUCASFILM LTD 1110 Gorgas Avenue San Francisco, California 94129	THE WALT DISNEY COMPANY 500 South Buena Vista Street Burbank, California 91505
DIGITAL DOMAIN 3.0, INC. 300 Rose Avenue Venice, CA 90291	IMAGEMOVERS, LLC 1880 Century Park East, Suite 1600 Los Angeles, CA 90067
IMAGEMOVERS DIGITAL P.O. Box 10428 San Rafael, California 94912	SONY PICTURES ANIMATION, INC. 10202 W. Washington Blvd. Culver City, CA 90232
SONY PICTURES IMAGEWORKS, INC. 10202 W. Washington Blvd. Culver City, CA 90232	BLUE SKY STUDIOS, INC 10201 W. Pico Blvd. Los Angeles, CA 90035

Nitsch v. DreamWorks Animation SKG, Inc., et al., Case No. 3:14-cv 04062
Attorneys for Representative Plaintiff Robert A. Nitsch, Jr. served via U.S. Mail

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